

1 GREGORY A. CONNELL, ESQ. (SBN 233228)
2 ROBERTS & CONNELL LLP
3 Attorneys at Law
4 412 Marsh Street
5 San Luis Obispo, California 93401
6 Telephone: (805) 542-9900
7 Facsimile: (805) 542-9949
8 gconnell@robertsconnell.com

9 Attorneys for Plaintiff
10 Galileo Surgery Center, L.P.

11 AMIR SHLESINGER, ESQ. (SBN 166764)
12 REED SMITH LLP
13 355 South Grand Avenue, Suite 2900
14 Los Angeles, CA 90071-1514
15 Telephone: (213) 457-8000
16 Facsimile: (213) 457-8080
17 Ashlesinger@ReedSmith.com

18 Attorneys for Defendant,
19 Health Care Service Corporation, a Mutual
20 Legal Reserve Company doing business
21 in Illinois as Blue Cross Blue Shield of Illinois

22 **UNITED STATES DISTRICT COURT**
23 **CENTRAL DISTRICT OF CALIFORNIA**

24 GALILEO SURGERY CENTER, L.P.,

25 Plaintiff,

26 vs.

27 HEALTH CARE SERVICE
28 CORPORATION, et al.,

Defendants.

Case No. 2:16-cv-02423-SVW-JC

Assigned to District Judge Hon. Stephen V.
Wilson

JOINT STIPULATION TO REMAND

IT IS SO ORDERED.

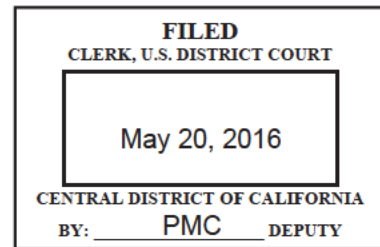
DATED: May 20, 2016



STEPHEN V. WILSON
UNITED STATES DISTRICT JUDGE

The Status Conference set for May 23, 2016 at 1:30 p.m. is VACATED and OFF-CALENDAR.

JOINT STIPULATION TO REMAND



JS-6

1 The parties stipulate that this case shall be remanded to San Luis Obispo Superior
2 Court, State of California, by order of this Court. The parties further stipulate that Plaintiff
3 GALILEO SURGERY CENTER, L.P. agrees to dismiss with prejudice its Breach of Written
4 Contract Cause of Action, but specifically preserves its Breach of Oral Contract and Breach
5 of Implied Contract Causes of Action in its Complaint. Plaintiff also agrees to dismiss with
6 prejudice all of its causes of action with respect to medical claims identified as follows:

7 1. C..., C.... Date of Service: 5/24/13 Amount Due: \$2,546.97

8 2. W..., W... Date of Service: 7/22/13 Amount Due: \$7,637.68

9 This stipulation does not waive any applicable defense(s) Defendant HEALTH
10 CARE SERVICE CORPORATION may have to any of the remaining causes of action in
11 Plaintiff's Complaint.

12 The Clerk of the Court shall initiate the remand and close this case.

13 Respectfully submitted

14 Dated: May 16, 2016

ROBERTS & CONNELL LLP

15 /s/ GREGORY A. CONNELL

16 By: _____
17 Gregory A. Connell, Esq.
18 Attorneys for Plaintiff
Galileo Surgery Center, L.P.

19 Dated: May 16, 2016

REED SMITH LLP

20 /s/ AMIR SHLESINGER

21 By: _____
22 Amir Shlesinger, Esq.
23 Attorneys for Health Care Service Corporation
24
25
26
27
28

PROOF OF SERVICE
UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO) ss.

I, KOURTNEY MILBURY, declare as follows:

I am a citizen of the United States and an employee in the County of San Luis Obispo. I am over the age of 18 and not a party to the above-entitled action. My business address is 412 Marsh Street, San Luis Obispo, California 93401.

On the date set forth below, I caused the document(s) described below as:

JOINT STIPULATION TO REMAND

to be served on the interested parties in this action addressed as follows:

- ☐ **BY UNITED STATES MAIL:** I am readily familiar with the firm's practice of collection and processing documents for mailing. Under that practice, the envelopes are sealed and, with postage thereon fully prepaid, deposited with the United States Postal Service on that same day at San Luis Obispo, California, in the ordinary course of business. I am aware that, on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in this affidavit.

- ☒ **BY ELECTRONIC FILING:** I caused the above-described document(s) to be electronically filed through the United States District Court authorized website. The transmission was reported complete and without error, and the transmission report is on the United States District Court' authorized website.

- Amir Shlesinger - ashlesinger@reedsmith.com
Kenneth N Smersfelt - ksmersfelt@reedsmith.com
Raagini Shah - rshah@reedsmith.com
REED SMITH LLP

- ☐ **BY FACSIMILE:** I caused the above-described document(s) to be sent via facsimile transmission to the offices of the addressee, following ordinary business practices.

- ☒ **BY OVERNIGHT COURIER:** I caused such document(s) to be delivered by overnight mail to the offices of the addressee by placing it for collection by Federal Express following ordinary business practices, to wit, that package(s) will either be picked up from the firm by the courier service, and/or delivered to the courier's office.

- The Honorable Stephen V. Wilson, Judge of the United States District Court, Central District of California, 312 North Spring Street, Room 6, Los Angeles, CA 90012

Executed and served on May 20, 2016, at San Luis Obispo, California.

KOURTNEY MILBURY

